



N-19-03 #14 Dasey  
PTO/SB/64 (11-03)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)  
1128-AL/D1

First named inventor: **LINDEMANN ET AL.**

Application No.: **09/707,616**

Art Unit: **2697**

Filed: **APRIL 6, 2001**

Examiner: **GRAHAM, A.**

Title: **DIGITAL WIRELESS  
LOUDSPEAKER SYSTEM**

**RECEIVED**  
**DEC 23 2003**

**OFFICE OF PETITIONS**

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ 1330.00 (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of AMENDMENT AND RESPONSE (identify type of reply):

has been filed previously on \_\_\_\_\_.

is enclosed herewith.

12/23/2003 AWDNDAF1 00000079 09707616

B. The issue fee of \$ \_\_\_\_\_.

1330.00 OP

has been paid previously on 01 FC:1453.

is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

## 3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

18 December 2003

Date

Telephone Number: 303.268.0066



Signature

Dan Shifrin, #34,473

Typed or printed name

1745 Shea Center Drive, Suite 330

Address

Highlands Ranch, Colorado 80129

Address

Enclosures:  Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other: POSTCARD RECEIPT

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

18 December 2003

Date



Signature

Lisa S. Susser

Type or printed name of person signing certificate



Attorney Docket: 1128-AL/D1  
Express Mail Label: EV394802117US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT:	LINDEMANN, ET AL.	)	EXAMINER:	GRAHAM, A.
SERIAL NUMBER:	09/707,616	)	ART UNIT:	2697
FILING DATE:	APRIL 6, 2001	)		
TITLE:	DIGITAL WIRELESS LOUDSPEAKERS	)		

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**DEC 23 2003**

**OFFICE OF PETITIONS**

Mail Stop: Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**STATEMENT OF UNINTENTIONAL DELAY**

Dear Sir:

A search of the file jacket and docket records indicates that the Office Action mailed May 7, 2003 was not received. A copy of the docket record where the non-received Office communications would have been entered had it been received is attached hereto. The required Petition Fee of \$1330.00, a Petition for an Extension of Time to File and a Response to the Office Action are also submitted herewith. The entire delay in filing the required reply until the filing of this Petition was unintentional and the reply and this Petition were filed within a reasonable period following notification by the Patent Office of the abandonment of the present Application.

This constitutes a request for any needed extension of time. The Commissioner is hereby authorized to charge any deficiency of fees submitted herewith to be charged to Deposit Account Number 19-5117.

Respectfully Submitted,

  
Dan Shifrin, #34,473  
Swanson & Bratschun, LLC  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129  
303.268.0066  
303.268.0065 (FAX)

cc: Leslie White

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DOCKET# 1128-AL/D1

PRINTED ON: 12/18/2003

COUNTRY	US	UNITED STATES	TITLE	
NEW/CON	DIV	SERIAL# 09/707,618	PATENT & TRADEMARK OFFICE	
RELATED	1128-AL	PATENT#		
TYPE	UTL	STATUS PENDING		
CLIENT	0000073	Cirrus	1	CREF
AGENT				AREF

PRIOR	12/3/1998
MAIL	
FILE	11/7/2000
PUBL	
ISSUE	
EXP	12/1/2019
1ST	12/1/1999

**INVENTORS**

John Laurence Melanson  
Eric Lindemann  
James M. Kates  
Jason L. Carlson

**ASSIGNEES**

Cirrus Logic

**PRIOR APPLICATIONS**

REFERENCE#	CNTRY	SERIAL#	FILED	TITLE / DESCRIPTION	TYPE
1128-AL	US	09/452,904	12/1/1999	DIGITAL WIRELESS LOUDSPEAKER SYSTEM	APPL

<b>USER-DEFINABLE FIELDS</b>		<b>PATENT FIELDS</b>		
RL/FRM		SMALL ENTITY		ART UNIT
CLAIMS		CLAIMS		EXAMINER
TXT3		PUBLICATION#		CONFIRM#

P00832US02 ENTERED 7/29/2002 MODIFIED 12/18/2002 BY TEC ATTORNEYS DAS / DAS / \*\*\*